

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHERYL SAGATAW, DEANTHONY
BARNES, ROBERTA STRONG, and
TRAVIS NELOMS, *on behalf of
themselves and a class of
similarly-situated individuals,*

Plaintiffs,

vs.

MAYOR JACOB FREY, *in his individual
and official capacity,*

Defendant.

Civil Action No.

0:24-cv-00001-ECT/TNL

**PLAINTIFFS' MOTION TO AMEND
ADDRESS IN SECOND MOTION
FOR TEMPORARY RESTRAINING
ORDER**

COME NOW Plaintiffs, by and through counsel, and move this Court to amend the address listed in the Plaintiffs' Second Motion for Temporary Restraining Order. After the filing of Plaintiffs' Second Motion for Temporary Restraining Order, Camp Nenookaasi residents were forced to move to a fifth location, this time not because of an eviction by Defendant Mayor Frey but because of a fire.

Plaintiffs move to amend subparagraph 1(a) to read "Evicting, bulldozing, clearing, sweeping, dismantling, demobilizing, removing infrastructure, or ceasing services to Camp Nenookaasi, the encampment of unhoused individuals currently located at 2839 14th Avenue South, Minneapolis, Minnesota."

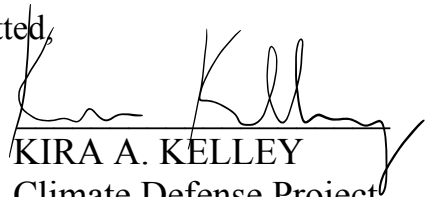
The Federal Rules of Civil Procedure are silent with respect to amending motions, but allow amendments of pleadings as a matter of course within twenty-one days of

service or of service of a response, and encourage courts to “freely give leave when justice so requires” after the deadlines for an amendment as a matter of course have expired. Fed. R. Civ. P. 15(a)(1-2). Liberal amendments are appropriate unless both undue delay and prejudice to the nonmoving party can be shown. *Bediako v. Stein Mart*, 354 F.3d 835, 841 (8th Cir. 2004).

Here, justice requires a small, technical amendment to Plaintiffs’ Second Motion for a Temporary Restraining Order. The location of Plaintiffs’ community, Camp Nenookaasi, has moved approximately 0.2 miles away after Plaintiffs evacuated their previous location because of a devastating fire. Amending the Motion for a Temporary Restraining Order for the limited purpose of updating the filing with regards to this new location would not in any significant way impact the causes of action, parties, claims for relief, or the other relevant facts, which remain unchanged. This small amendment would not materially prejudice the Defendant, given that all other facts, issues, claims, and parties remain the same.

Respectfully submitted,

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